

Message Text

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AMCONSUL BREMEN

AMCONSUL DUSSELDORF

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AMCONSUL HAMBURG

AMCONSUL MUNICH

AMCONSUL STUTTGART

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TAGS: PINT, PGOV, GW

SUBJECT: THE BUNDESRAT AND THE SAARLAND

REF: FRANKFURT 4490, BONN 7419

SUMMARY: IT REMAINS UNCERTAIN JUST HOW THE SAARLAND WILL VOTE ON SPECIFIC BILLS IN THE BUNDESRAT IN THE FUTURE. POLITICIANS IN BONN BELIEVE THAT THE DECISION OF THE SAARLAND FDP TO "TOLERATE" BUT NOT JOIN THE CDU IN COALITION WILL CREATE POLITICAL CONSTRAINTS ON THE SAARLAND GOVERNMENT'S BEHAVIOR IN THE BUNDESRAT. HOWEVER, THEY DO NOT EXPECT SAARLAND CDU LEADER ROEDER TO GO SO FAR IN APPEASING THE FDP AS TO HAVE THE SAARLAND VOTE WITH THE SPD/FDP LAENDER ON CONTROVERSIAL BILLS IN THE BUNDESRAT.

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SHOULD THE SITUATION IN SAARBRUECKEN LEAD TO A DECISION

BY THE SAARLAND GOVERNMENT TO ABSTAIN IN THE BUNDES-RAT ON BILLS REQUIRING CONSENT, THE SPD/FDP LAENDER WOULD STILL LACK THE NECESSARY MAJORITY TO OBTAIN BUNDES-RAT APPROVAL. IN THE CASE OF THOSE BILLS THAT DO NOT RE-QUIRE CONSENT (SO-CALLED SIMPLE BILLS) A DECISION BY THE SAARLAND GOVERNMENT TO ABSTAIN WOULD FACILITATE PASSAGE. ROEDER'S ROOM FOR MANEUVER WILL BE LIMITED BY HIS NEED TO TAKE THE VIEWS OF THE SAARLAND FDP INTO CONSIDERATION BUT HIS POSITION IS STRENGTHENED IN THAT NEITHER THE SPD NOR THE FDP WANT NEW ELECTIONS IN THE SAARLAND, AT LEAST BEFORE THE ECONOMIC SITUATION IMPROVES. END SUMMARY

1. CONVERSATIONS WITH CDU AND FDP POLITICIANS IN BONN INDICATE THAT IT REMAINS UNCLEAR JUST HOW THE SAARLAND WILL VOTE ON SPECIFIC BILLS IN THE BUNDES-RAT GIVEN THE PRECARIOUS POSITION OF THE ROEDER GOVERNMENT IN SAAR-BRUECKEN. IT IS GENERALLY AGREED, HOWEVER, THAT THE DE-CISION OF THE SAARLAND FDP TO "TOLERATE" (INCLUDING A COMMITMENT TO APPROVE THE BUDGET) BUT NOT TO JOIN THE CDU IN COALITION WILL PLACE RESTRAINTS ON THE ROEDER GOVERNMENT'S ACTIONS IN THE BUNDES-RAT. A POLITICAL RE-ALIST, WITH THE LONGEST TENURE AS MINISTER PRESIDENT IN THE FRG, ROEDER IS EXPECTED TO TAKE COGNIZANCE OF THIS SITUATION. HE IS THEREFORE EXPECTED TO TAKE INTO AC-COUNT THE SAARLAND FDP'S VIEWS WHEN VOTING IN THE BUN-DESRAT BUT NOT TO HAVE THE SAARLAND VOTE WITH THE SPD/FDP LAENDER IN THE BUNDES-RAT.

2. IN THE CASE OF BILLS REQUIRING BUNDES-RAT CONSENT, WHICH ARE THE SUBJECT OF DISAGREEMENT BETWEEN THE FDP/SPD GOVERNMENT AND THE CDU/CSU OPPOSITION, HE MAY HAVE THE SAARLAND ABSTAIN ON A VOTE IN THE BUNDES-RAT. SUCH A MANEUVER WOULD DEMONSTRATE COGNIZANCE OF HIS DEBT TO THE FDP AT HOME BUT STILL WOULD NOT GIVE THE SPD/FDP LAENDER IN THE BUNDES-RAT THE MAJORITY NECESSARY TO PASS SUCH BILLS INTO LAW.

3. IN THE CASE OF SIMPLE BILLS (NOT REQUIRING BUNDES-RAT CONSENT) AN OPPOSITION MAJORITY IN THE BUNDES-RAT CAN DE-LAY BUT NOT PREVENT EVENTUAL PASSAGE OF SUCH BILLS INTO LIMITED OFFICIAL USE

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LAW. THAT IS, IF THE OPPOSITION MAJORITY IN THE BUNDES-RAT REJECTS A SIMPLE BILL, THE BUNDESTAG CAN BY THE SAME SIZE MAJORITY OVERRIDE THE BUNDES-RAT'S OBJECTION AND PASS THE BILL INTO LAW. NEVERTHELESS, A DECISION BY THE SAARLAND TO ABSTAIN IN THE CASE OF A SIMPLE BILL INTRO-DUCED BY THE GOVERNMENT (AGAINST THE OPPOSITION OF THE CDU/CSU) WOULD FACILITATE PASSAGE BECAUSE THE CDU/CSU LAENDER WOULD LACK THE NECESSARY MAJORITY TO DELAY PAS-

SAGE BY CALLING FOR THE CONVENING OF THE JOINT CONFERENCE COMMITTEE AND THE GOVERNMENT BILL WOULD AUTOMATICALLY BE ADOPTED.

4. IT MUST BE KEPT IN MIND THAT IN THE PAST, EVEN WITH A CDU/CSU MAJORITY, THE BUNDESRAT HAS NOT STYMIED THE VAST MAJORITY OF BILLS SUBMITTED BY THE BUNDESTAG. IN

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THE SEVENTH LEGISLATIVE PERIOD UP UNTIL JUNE 15, 1975, OF THE 346 BILLS CONSIDERED IN SECOND READING BY THE BUNDESRAT ONLY 52 (15 PER CENT) WERE REFERRED TO THE JOINT CONFERENCE COMMITTEE. NEVERTHELESS, IT IS THE EXCEPTIONS THAT CREATE THE MOST POLITICAL DIFFICULTIES AND THE PROBLEM WILL NOT BECOME ANY LESS IN THE YEAR

AHEAD AS THE FRG PREPARES FOR NATIONAL ELECTIONS.

5. DEPENDENCE UPON THE FDP'S TACIT SUPPORT BECAUSE OF THE PARITY SITUATION EXISTING IN THE LANDTAG IN SAAR-BRUECKEN (25 CDU SEATS, 22 SPD, 3 FDP) IS ONLY ONE OF THE OPERATIVE POLITICAL REALITIES. ROEDER'S POSITION IS STRENGTHENED BY THE FACT THAT NEITHER THE SPD NOR THE FDP IS ANXIOUS TO SEE NEW LAND ELECTIONS, AT LEAST BEFORE THE ECONOMIC SITUATION IMPROVES. IN ADDITION, LIMITED OFFICIAL USE

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NEITHER OF THE TWO PARTIES WISH TO BE ACCUSED OF IRRESPONSIBILITY BY APPEARING TO LET NARROW PARTISAN INTERESTS PLUNGE THE SAARLAND INTO A CONTINUED GOVERNMENT CRISIS. FDP POLITICIANS IN BONN BELIEVE THAT THE DECISION TO "TOLERATE" THE ROEDER GOVERNMENT, IN FACT, ENHANCES THE PARTY'S IMAGE OF RESPONSIBILITY. AT THE SAME TIME THEY BELIEVE THAT THE FDP HAS SHOWED ITSELF TO BE TRUE TO ITS WORD BECAUSE THE SAARLAND FDP HAS NOT RENEGED ON ITS PLEDGE BEFORE THE MAY 4 ELECTIONS THAT IT WOULD NOT FORM A COALITION WITH THE CDU. IN A LARGER CONTEXT, THE FDP'S ACTION IN THE SAARLAND FITS INTO THE STRATEGY OF KEEPING ALL OPTIONS OPEN AT THE LAND LEVEL AS FAR AS COOPERATION WITH THE SPD OR CDU IS CONCERNED.

6. A RECENT POLL COMMISSIONED BY THE BUNDESRAT INDICATES AN INCREASED AWARENESS ABOUT THE ROLE OF THE BUNDESRAT AND HOW IT FUNCTIONS. FORTY-ONE PER CENT OF THOSE POLLED EXPRESSED A VERY GOOD OR GOOD OPINION ABOUT THE BUNDESRAT (SEVEN PER CENT EXPRESSED AN UNFAVORABLE VIEW). NOT SURPRISINGLY, GIVEN THE PAST CONFIGURATION IN BONN WHEN THE SPD/FDP HAD A MAJORITY IN THE BUNDESTAG AND THE OPPOSITION HAD A MAJORITY IN THE BUNDESRAT, CDU/CSU MEMBERS WHO WERE POLLED WERE MORE POSITIVE TOWARDS THE BUNDESRAT THAN WERE EITHER SOCIAL DEMOCRATS OR LIBERALS. AS TO THE ACCEPTANCE OF FEDERALISM IN GENERAL, ONLY 17 PER CENT BELIEVED THAT THE LAND GOVERNMENT LEVEL SHOULD BE ABOLISHED IN FAVOR OF A SINGLE NATIONAL GOVERNMENT. IN THE EARLY 1950'S, THE MAJORITY OF GERMANS POLLED FELT THAT THE LAND GOVERNMENTS SHOULD BE ABOLISHED.

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